

Notice of Allowability

Application No.

10/634,973

Examiner

Houshang Safaipoor

Applicant(s)

SPEARS ET AL.

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to an amendment filed on November 9, 2007.
2. ☒ The allowed claim(s) is/are 1,4-21,29 and 31-41.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 08/03, 03/05, 10/07
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

Reasons for Allowance

1. Claims 2, 3, 22-28 and 30 are canceled.
2. Claims 1, 4-21, 29 and 31-41 are allowed.
3. This is examiner's statement of reasons for allowance.

Regarding claims 1, 4-17, the prior art, either singularly or in combination, does not teach or suggest an image capture device, comprising:

“a first scanning module operable to scan a first side of an object; a second scanning module operable to scan a second side of said object, said first and second scanning modules being independently translatable along their respective displacement paths; and a housing, wherein one of said first and second scanning modules is disposed in said housing.”

Regarding claims 18-21 and 33-38, the prior art, either singularly or in combination, does not teach or suggest an image capture device, comprising:

“...illuminating a first portion of said object by a first scanning module of said image capture device; capturing light passing through said first portion by a second scanning module of said image capture device; and moving said first and second scanning modules along their respective displacement paths to illuminate a second portion of said object and to capture light passing through said second portion.”

Regarding claims 29, 31 and 32, the prior art, either singularly or in combination, does not teach or suggest an image capture device, comprising:

“...cause a first scanning module of said image capture device to illuminate a first portion of said object; cause a second scanning module of said image capture device to capture light passing through said first portion; and cause movement of said first and second scanning modules along their respective displacement paths to illuminate a next portion of said object and to capture light passing through said next portion, wherein said application logic is further operable to cause movement of said first and second scanning modules such that a light source of said first scanning module and a photosensitive device of said second scanning module are aligned with each other.”

Regarding claim 39, the prior art, either singularly or in combination, does not teach or suggest an image capture device, comprising:

“...a second scanning module operable to scan a second side of said object, said first and second scanning modules translatable along their respective displacement paths, wherein in a duplex mode said first scanning module scans said first side and said second scanning module scans said second side.”

Regarding claim 40, the prior art, either singularly or in combination, does not teach or suggest an image capture device, comprising:

“...a second scanning module operable to scan a second side of said object, said first and second scanning modules translatable along their respective displacement paths, wherein in a transparency mode, said first scanning module is operable to illuminate said object and said second scanning module is operable to capture light passing through said object.”

Regarding claim 41, the prior art, either singularly or in combination, does not teach or suggest an image capture device, comprising:

“...a second scanning module operable to scan a second side of said object, said first and second scanning modules translatable along their respective displacement paths, wherein in a transparency mode, said second scanning module is operable to illuminate said object and said first scanning module is operable to capture light passing through said object.”

The features identified, in combination with other claim limitations, are neither suggested nor discussed by the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

4. *Contact Information*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Houshang Safaipoor whose telephone number is (571)272-7412. The examiner can normally be reached on Mon.-Thurs. from 6:30am to 3:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore whose telephone number is (571)272-7437. The fax phone

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number for the organization where this application or proceeding is assigned is (571)273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Houshang Safaipoor
Patent Examiner
January 11, 2008

A handwritten signature in black ink, appearing to read 'H. Safaipoor', is written diagonally across the page.